

EXHIBIT 7

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF VIRGINIA

ALEXANDRIA DIVISION

-----X
ROSY GIRON DE REYES;
JOSE DAGOBERTO REYES;
FELIX ALEXIS BOLANOS;
RUTH RIVAS; YOVANA JALDIN SOLIS;
ESTABAN RUBIN MOYA YRAPURA;
ROSE ELENA AMAYA, and
HERBERT SARAIVIA CRUZ,

Plaintiffs,

CASE NO:
1:16ev00563-TCB

vs.

WAPLES MOBILE HOME PARK
LIMITED PARTNERSHIP; WAPLES PROJECT
LIMITED PARTNERSHIP; and
A. J. DWOSKIN & ASSOCIATES, INC.,

Defendants.

-----X

DEPOSITION OF JOSEPHINE GIAMBANCO

Falls Church, Virginia

December 1, 2016

9:30 a.m.

Reported by:
Linda Crockett
Job No. 47657

1 level of authority to input information into
2 Yardi --

3 A. Correct.

4 Q. -- that you have collected from
5 prospective tenants or current tenants?

6 A. Correct.

7 Q. Is there anyone else at Waples and Bull
8 Run besides Ms. Lopez?

9 A. No.

10 Q. Going through the leasing process,
11 what's your procedure for processing a potential
12 or new applicant?

13 A. I have the application in my hand at
14 this time. The application has the name, lots of
15 information on it. I get all that information
16 and I put it in the system Yardi. Once I put all
17 that information in, within two to three days I
18 get a response back, approved or declined.

19 If they get approved, I call the
20 prospect up and let them know they have been
21 approved and what the next steps are. I also
22 call the owner and let them know a person has got
23 approved, and let them know they got approved.

24 Q. What does the process look like when a
25 prospect comes in before they fill out an

1 application?

2 MR. DINGMAN: Object to the form.

3 A. The person comes in. I say hi, how can
4 I help you. They come into my office or Myra's
5 office. They usually come in and say I want to
6 rent a mobile home. I explain we don't rent
7 mobile homes, you have to buy the home from the
8 individual owner.

9 At that point they say do you know of
10 any homes for sale, do you know how much they
11 cost. I explain to them again, we don't sell the
12 mobile home. We just rent the lot. I don't have
13 any information on buying the mobile home. You
14 have to contact the owner themselves.

15 They come back in and give me the
16 address that they want to buy the mobile home. I
17 get on my system, Yardi. I notice they gave in a
18 notice, at that point I will tell you now what
19 you need to apply. I grab my future resident
20 form. At that point I explain it to them, in
21 order for you to apply for the lot you must fill
22 out the application.

23 The application must be completely
24 filled out. I will need to see a
25 government-issued ID, a Social Security card. If

1 you don't have the Social Security card, you have
2 to provide current documents that you are legal
3 in the United States, there's lots of documents
4 out there. Whatever they provide me and whatever
5 they put on the application, I will go from
6 there.

7 I will explain once you fill out the
8 application and you bring me those documents, I
9 will need two checks. Everyone over the age of
10 18 has to fill out an application. The
11 application is going to be \$55 for each one. All
12 documents are required for every single
13 application.

14 So that's the process. Once they come
15 back and the application is filled out and they
16 give me all the documents and that's when I go
17 ahead and let them know I'm going to process it,
18 it normally takes two to three days to come back,
19 I will call you and let you know what the answer
20 is.

21 Q. When you were going about processing an
22 application that you have received from a
23 prospect, what does that actually entail?

24 MR. DINGMAN: Object to the form of the
25 question. It's been asked and you just answered

1 A. To the best of my knowledge.

2 MR. DINGMAN: Is this a good time for a
3 break? Some time in the next five or ten
4 minutes?

5 MR. KIM: Sure. Let me just ask one
6 more line of questions. Let's just take a break
7 right now.

8 (Recess.)

9 BY MR. KIM:

10 Q. We're back on the record. We've been
11 talking a bit about kind of your understanding of
12 the policy. We've been talking about the policy
13 as it is now. When you started in 2013, what was
14 your understanding of what the policy was when
15 you started?

16 A. Policy from which one, application?
17 Which one?

18 Q. Right. Let's talk about the documents
19 that are required to apply to the park.

20 A. From what time?

21 Q. From when you started.

22 A. When the prospect came in, I would bring
23 out my future resident, in 2013 the requirements
24 was you had to completely fill out the
25 application. You had to provide a valid

1 government-issued ID. You had to provide a
2 Social Security card. If you didn't have a
3 Social Security card, you had to provide a
4 passport, I-94, you had to show some kind of
5 proof for legal presence in the United States.
6 You had to provide two to four most recent pay
7 stubs. Everything had to be the originals. That
8 was when I first started.

9 Q. It's your understanding that as far as
10 the policy of requiring certain docs, that has
11 remained constant?

12 A. Yes, from 2013.

13 Q. From 2013. But what has changed is the
14 policy about recertification and then
15 inspections.

16 A. That I recall, those are the two ones
17 that have changed. Since 2013 the renewal
18 process was the same. The lease was up; we would
19 go ahead and renew them.

20 Q. Back in 2013 when you started, you
21 completely understood what was required of you as
22 far as you being the enforcer of the company's
23 policy?

24 A. Correct. I followed the format that was
25 on that sheet.

1 a person living there.

2 Q. How did you realize that a person was
3 living there?

4 A. To the best of my knowledge, he told me.

5 Q. In what context did he tell you?

6 A. When he came in and tried to fill -- his
7 renewal was coming up. He came in and said his
8 wife is there. At that point I said I don't have
9 your wife's application.

10 Q. Is that all he said?

11 A. That's all I can recall.

12 Q. And you now understand that his wife is
13 Rosy Giron de Reyes, sir?

14 A. Yes.

15 Q. Who is one of the plaintiffs in this
16 case?

17 A. Yes.

18 Q. What about Felix Bolanos, when did you
19 become aware that his wife was living at the
20 park?

21 A. To the best of my knowledge it was 2015
22 when I did his inspection.

23 Q. During that inspection in 2015, how did
24 you become aware that his wife was living there?

25 A. When I knocked on the door and I said

1 I'm here to do the inspection, Felix opened the
2 door. There was a lady sitting there. I said
3 I'm here to do the inspection, are you ready. He
4 said yes. I said is there anybody sleeping? I
5 went in and did my inspection, made sure
6 everything was in compliance with the park rules
7 and regulations. I said how many people do live
8 here. He said it's me and my wife.

9 At that point I already knew I only had
10 one leaseholder. That's when I told him, I only
11 have one person. Your wife will need come in and
12 fill out an application. I explained all the
13 requirements that his wife needs to fill out an
14 application.

15 Q. So that's when you learned about
16 Mr. Bolanos' wife who you now know is Ruth Rivas?

17 A. Correct.

18 Q. What about Mr. Moya's wife, when did you
19 first become aware that she was living at the
20 park?

21 A. When I did the inspection, that's when I
22 realized that there was other people living at
23 the home, because all I had was one on the
24 system.

25 Q. When was that inspection?

1 A. If I recall, it was 2015.

2 Q. Do you remember roughly what month?

3 A. If you have something you can show me, a
4 paper. I really don't recall.

5 Q. If you don't recall, that's fine. What
6 about Mr. -- sorry, before we get there, you now
7 understand that Mr. Moya's wife is Yovana Jaldin
8 Solis, who is a plaintiff in this case?

9 A. Yes.

10 Q. What about Mr. Saravia-Cruz's wife, when
11 did you first learn that his wife was living at
12 the park?

13 A. When he was up for renewal.

14 Q. When was that; when was that up for
15 renewal?

16 A. I don't recall the month.

17 Q. And how did you learn when he was up for
18 renewal that his wife was living at the park?

19 A. I sent a renewal letter and I told him
20 he needs to come in so I can schedule the
21 inspection. He said my wife is going to be
22 there; can she do the inspection. He was out of
23 town. At that point I recall saying that I just
24 have you, and I told him if your wife lives there
25 she needs to fill out an application.

1 Q. Was that in -- I know you said you don't
2 recall the exact date, but was that in 2016 or
3 2015?

4 A. I don't recall.

5 Q. So you've talked a bit about how
6 inspections led to your learning about some of
7 the female plaintiffs in this case. Can you walk
8 me through what the inspection process is?

9 A. In late 2014, that's when we started to
10 do the inspection. The inspection process is to
11 make sure that everyone is compliant to the rules
12 and regulations, the outside of their home and
13 also the inside of their home.

14 Q. So you've just described kind of the
15 purpose of the inspection. What are the actual
16 steps you take to conduct the inspection?

17 A. I call the resident up and I let them
18 know your lease is about to expire. I need to
19 schedule an in-home inspection. We set a time.
20 I go up to their home at that time. And that's
21 when I do the inspection inside the home.

22 Q. Are you the only person who conducts
23 inspections at the park?

24 A. No.

25 Q. Who else does inspections; would it be

1 question. That misstates her prior testimony.

2 A. In 2015, that's when we started the
3 recertification. That's when we had to make sure
4 that every adult had an application, not an
5 occupant. So 2014, we didn't start doing the
6 recertification here. In 2015 when I went to do
7 the inspection, that's when the recertification
8 started and when I looked up his file there was
9 just one application.

10 Q. Got it. During the course of your three
11 or more years at A.J. Dwoskin and while managing
12 Waples, did any of the female plaintiffs in this
13 case cause any problems at the park?

14 MR. DINGMAN: Object to the form.

15 A. If I don't have a file in front of me, I
16 don't know whether the person made the complaint
17 or not.

18 Q. So you're now aware of the female
19 plaintiffs -- of the identities or the names of
20 the female plaintiffs in this case, they are Rosy
21 Giron de Reyes, Ruth Rivas, Yovana Jaldin Solis,
22 and Rosa Elena Amaya. You now know who they are.
23 Would you say you also could recognize them if
24 you saw them in person?

25 A. Absolutely not.

1 STATE OF MARYLAND
2 COUNTY OF BALTIMORE

3 I, Linda A. Crockett, a Notary Public of
4 the State of Maryland, do hereby certify that the
5 within named, JOSEPHINE GIAMBANCO, was deposed at
6 the time and place herein set out, and after
7 having been duly sworn by me, was interrogated by
8 counsel.

9 I further certify that the examination
10 was recorded stenographically by me, and this
11 transcript is a true record of the proceedings.

12 I further certify that the stipulations
13 made herein were entered into by counsel in my
14 presence.

15 I further certify that I am not of
16 counsel to any of the parties, nor an employee of
17 counsel, nor related to any of the parties, nor
18 in any way interested in the outcome of this
19 action.

20 As witness my hand and notarial seal
21 this 14th day of December, 2016.

22 My commission expires: December 28, 2016

23 

24 _____
25 Notary Public